

**UNITED STATES BANKRUPTCY COURT**  
**District of New Jersey**

IN RE: Victor R. Seda

Case No.: 15-29581

Judge: SLM

Debtor(s) Chapter: 13

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original☐ Motions Included☒ Modified/Notice Required☐ Modified/No Notice Required☒ Discharge Sought☐ No Discharge SoughtDate: September  
13, 2016

THE DEBTOR HAS FILED FOR RELIEF UNDER  
 CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The Debtor has paid to date the amount of \$3,564.00 and shall continue to pay 336.00 Monthly\* to the Chapter 13 Trustee, starting on September 1, 2016 for approximately 50 months remaining in the Chapter 13 Plan.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property  
Description:  
Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

## Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to \_\_\_\_\_ (creditor).

## Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Russell L. Low 4745	Attorney Fees	2,500.00

## Part 4: Secured Claims

### a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
-NONE-					

### b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an

unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

Creditor

Midland Mortgage Company/Mid First Bank

**e. Secured Claims to be paid in full through the Plan**

Creditor	Collateral	Total Amount to be Paid through the Plan
RYMR&FLNIGN	Charge Account	1,731.00

**Part 5: Unsecured Claims**

**a. Not separately classified** Allowed non-priority unsecured claims shall be paid:

\_\_\_\_\_ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

\_\_\_\_\_ Not less than \_\_\_\_\_ percent

  x   *Pro Rata* distribution from any remaining funds

**b. Separately Classified Unsecured Claims shall be treated as follows:**

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
American Honda Finance	Auto Lease Monthly payments: \$395.00	NO Arrearage

## Part 7: Motions

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.**

### a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

### b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

### c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

## Part 8: Other Plan Provisions

### a. Vesting of Property of the Estate

- ☒ Upon Confirmation  
☐ Upon Discharge

### b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

### c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims

- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

**d. Post-petition claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**e. Other Provisions:**

\*This plan is a step plan or has lumpsum payments as follows: \$300.00 per month for 10 months, then \$336.00 per month for 50 months

**Part 9 : Modification**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: October 10, 2015.

Explain below **why** the Plan is being modified.

Added secured claimf from Raymour&Flanigan

Explain below **how** the Plan is being modified

Debtor will resume payments to the trustee in the amount of \$336.00.

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

**Part 10: Sign Here**

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date September 13, 2016 /s/ Russell L. Low  
Russell L. Low 4745  
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: September 13, 2016 /s/ Victor R. Seda  
Victor R. Seda  
Debtor

Date: \_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 6 of 7**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Victor R. Seda  
 Debtor

Case No. 15-29581-SLM  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 42

Date Rcvd: Sep 14, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2016.

db  
 515799079 +Victor R. Seda, 502 James Street, New Milford, NJ 07646-1024  
 515799075 +AMERIFINANCIAL SOLUTIO, PO BOX 602570, CHARLOTTE, NC 28260-2570  
 515799076 +American Express, PO BOX 3001, 16 GENERAL WARREN BLVD, MALVERN, PA 19355-1245  
 American Home Mtg Srv/Homeward Residenta, AHMSI / ATTENTION: BANKRUPTCY, PO BOX 631730-1730,  
 IRVING, TX 75063  
 515799082 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: BK OF AMER, PO BOX 982235, EL PASO, TX 79998)  
 515799080 +BARCLAYS BANK DELAWARE, ATTN: BANKRUPTCY, P.O. BOX 8801, WILMINGTON, DE 19899-8801  
 515799084 +CAPITAL ONE, PO BOX 30253, SALT LAKE CITY, UT 84130-0253  
 515799086 +CBNA, PO BOX 6497, SIOUX FALLS, SD 57117-6497  
 515799087 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Citibank Sd, Na, ATTN: CENTRALIZED BANKRUPTCY, PO BOX 20363,  
 KANSAS CITY, MO 64195)  
 515799083 +Capital One, ATTN: BANKRUPTCY, PO BOX 30285, SALT LAKE CITY, UT 84130-0285  
 515839298 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 515799088 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577  
 (address filed with court: Dell Financial Services, DELL FINANCIAL SERVICES ATTN: BANKRUPTCY,  
 PO BOX 81577, AUSTIN, TX 78708)  
 515799093 +EMERGE/FNBO, PO BOX 105555, ATLANTA, GA 30348-5555  
 515799094 +First National Bank, ATTENTION:FNN LEGAL DEPT, 1620 DODGE ST. STOP CODE: 3290,  
 OMAHA, NE 68197-0003  
 515806999 +First National Bank of Omaha, 1620 Dodge Street, Stop Code 3105, Omaha, NE 68197-0003  
 515855013 +MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051  
 515799096 +Midland Mortgage Company/Mid First Bank, ATTENTION: BANKRUPTCY, PO BOX 26648,  
 OKLAHOMA CITY, OK 73126-0648  
 515799098 +RYMR&FLNIGN, PO BOX 94498, LAS VEGAS, NV 89193-4498  
 515799099 +SA-VIT ENTERPRISES, 46 W FERRIS ST, EAST BRUNSWICK, NJ 08816-2159  
 515799101 +SEARS/CBNA, PO BOX 6283, SIOUX FALLS, SD 57117-6283  
 515799102 +Sandy Seda, 502 James Street, New Milford, NJ 07646-1024  
 515799110 +US DEPT OF ED/GLELSI, PO BOX 7860, MADISON, WI 53707-7860  
 515853754 US DEPT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973, MADISON WI 53708-8973  
 515978159 Wells Fargo Bank NA, PO Box 10438, Des Moines IA 50306-0438  
 515954026 eCAST Settlement Corporation, POB 29262, New York, NY 10087-9262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 14 2016 23:22:28 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Sep 14 2016 23:22:22 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 515799077 E-mail/Text: ebnbankruptcy@ahm.honda.com Sep 14 2016 23:22:35 American Honda Finance,  
 PO BOX 168088, IRVING, TX 75016  
 515839212 +E-mail/Text: bncmail@w-legal.com Sep 14 2016 23:22:35 COMENITY CAPITAL BANK/PAYPAL CREDIT,  
 C/O WEINSTEIN & RILEY, P.S., 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
 515993209 +E-mail/Text: bncmail@w-legal.com Sep 14 2016 23:22:35 Cerastes, LLC,  
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
 515799089 +E-mail/Text: mrdiscen@discover.com Sep 14 2016 23:21:43 DISCOVER FIN SVCS LLC,  
 PO BOX 15316, WILMINGTON, DE 19850-5316  
 515799092 +E-mail/Text: dplbk@discover.com Sep 14 2016 23:22:46 DISCOVER PERSONAL LOAN,  
 ATTENTION: BANKRUPTCY, PO BOX 30954, SALT LAKE CITY, UT 84130-0954  
 515809107 E-mail/Text: mrdiscen@discover.com Sep 14 2016 23:21:43 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 515799095 +E-mail/PDF: gecsed@recoverycorp.com Sep 14 2016 23:16:13 Gemb/walmart, ATTN: BANKRUPTCY,  
 PO BOX 103104, ROSWELL, GA 30076-9104  
 515799097 +E-mail/PDF: pa\_dc\_claims@navient.com Sep 14 2016 23:17:05 NAVIENT, PO BOX 9655,  
 WILKES BARRE, PA 18773-9655  
 515866432 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Sep 14 2016 23:16:20  
 Portfolio Recovery Associates, LLC, c/o Lowes, POB 41067, Norfolk VA 23541  
 515799103 E-mail/PDF: cbp@springleaf.com Sep 14 2016 23:17:02 SPRINGLEAF FINANCIAL S, PO BOX 969,  
 EVANSVILLE, IN 47706  
 515799104 E-mail/PDF: cbp@springleaf.com Sep 14 2016 23:16:11 Springleaf Financial Services,  
 ATTENTION: BANKRUPTCY DEPARTMENT, PO BOX 3251, EVANSVILLE, IN 47731  
 515799105 +E-mail/PDF: gecsed@recoverycorp.com Sep 14 2016 23:16:13 SYNCB/SLEEPYS,  
 C/O PO BOX 965036, ORLANDO, FL 32896-0001  
 515799106 +E-mail/PDF: gecsed@recoverycorp.com Sep 14 2016 23:16:13 Synchrony Bank/Amazon,  
 ATTN: BANKRUPTCY, PO BOX 103104, ROSWELL, GA 30076-9104  
 515799107 +E-mail/PDF: gecsed@recoverycorp.com Sep 14 2016 23:17:04 Synchrony Bank/Lowes,  
 ATTENTION: BANKRUPTCY DEPARTMENT, PO BOX 103104, ROSWELL, GA 30076-9104  
 515799111 +E-mail/Text: bnc-bluestem@quantum3group.com Sep 14 2016 23:22:57 WEBBANK/FINGERHUT,  
 6250 RIDGEWOOD RD, SAINT CLOUD, MN 56303-0820

TOTAL: 17

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 42

Date Rcvd: Sep 14, 2016

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

515799078\* ++AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088  
(address filed with court: American Honda Finance, PO BOX 168088, IRVING, TX 75016)  
515799081\* +BARCLAYS BANK DELAWARE, ATTN: BANKRUPTCY, P.O. BOX 8801, WILMINGTON, DE 19899-8801  
515799109\* ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
(address filed with court: Texaco / Citibank, CITICORP CREDIT SERVICES/ATTN: CENTRALIZ,  
PO BOX 20507, KANSAS CITY, MO 64195)  
515799085\* +Capital One, ATTN: BANKRUPTCY, PO BOX 30285, SALT LAKE CITY, UT 84130-0285  
515799090\* +DISCOVER FIN SVCS LLC, PO BOX 15316, WILMINGTON, DE 19850-5316  
515799091\* +DISCOVER FIN SVCS LLC, PO BOX 15316, WILMINGTON, DE 19850-5316  
515799100\* +SA-VIT ENTERPRISES, 46 W FERRIS ST, EAST BRUNSWICK, NJ 08816-2159  
515799108\* +Synchrony Bank/Lowes, ATTENTION: BANKRUPTCY DEPARTMENT, PO BOX 103104,  
ROSWELL, GA 30076-9104

TOTALS: 0, \* 8, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 16, 2016

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 13, 2016 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor MidFirst Bank bankruptcynotice@zuckergoldberg.com,  
bkggroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Russell L. Low on behalf of Debtor Victor R. Seda rbear611@aol.com, lowlaw505@gmail.com

TOTAL: 3